

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WINFORD MOSES STEWART,

Plaintiff,

v.

DANE CO. JAIL DEPUTIES AND DR. KIM,

Defendants.

ORDER

Case No. 14-cv-97-wmc

Plaintiff Winford Moses Stewart, an inmate in custody at the Dane County Jail in Madison, Wisconsin, has filed a proposed civil complaint along with a motion for leave to proceed *in forma pauperis*. (Dkt. # 2). The court cannot consider the motion, however, because it lacks information regarding plaintiff's eligibility for indigent status.

To the extent that plaintiff wishes to proceed *in forma pauperis*, because he is jail, he must comply with the Prisoner Litigation Reform Act (PLRA), 28 U.S.C. § 1915(b), which requires indigent inmates to pay by installment the entire filing fee for civil actions and appeals. The federal *in forma pauperis* statute does not permit a court to waive a prisoner's entire obligation to pay filing fees, but it does allow a qualifying individual to proceed without prepaying some or all of the filing fee. To determine whether a prisoner qualifies as indigent, his motion for leave to proceed *in forma pauperis* must include a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the date of his complaint. 28 U.S.C. § 1915(a)(2). Plaintiff has failed to satisfy this requirement.

Until plaintiff pays the fee or provides documentation in support of his request for indigent status, the court will take no further action in this case. Accordingly, plaintiff must

either pay the \$400 filing fee or submit a copy of his inmate account statement no later than March 10, 2014.

ORDER

IT IS ORDERED that plaintiff Winford Moses Stewart may have until March 10, 2014 to submit the \$400 filing fee or an inmate account statement for the period beginning approximately August 10, 2013 and ending approximately February 10, 2014. If, by March 10, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 14th day of February, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge